

REMARKS

By the forgoing amendments, claims 1, 5, 6, 11, and 12 have been amended. Thus, claims 1, 3, 5-9, and 11-13 currently are pending and are subject to examination in the above-captioned patent application. No new matter is added by the foregoing amendments, and these amendments are fully supported by the specification. Applicants respectfully request that the Examiner enter to foregoing amendments, and the reconsider the above-captioned patent application in view of the foregoing amendments and the following remarks.

In the Office Action mailed May 20, 2004, the Examiner rejected claims 1, 5, 6, 8, 9, 11, and 12 under 35 U.S.C. § 102(e), as allegedly being anticipated by U.S. Patent Publication No. US 2003/0079227 A1 to Knowles *et al.* ("Knowles"), or in the alternative, the Examiner rejected claims 1, 5, 6, 8, 9, 11, and 12 under 35 U.S.C. § 103(a), as allegedly being rendered obvious by Knowles. Moreover, the Examiner rejected claims 6, 8, 9, and 12 under 35 U.S.C. § 102(b), as allegedly being anticipated by U.S. Patent No. 5,850,218 to LaJoie *et al.* ("LaJoie"). To the extent that these rejections remain applicable in view of the foregoing amendments, Applicants respectfully traverse these rejections, as follows.

(a) Applicants' Independent Claims 1, 5, 6, 11, and 12

Applicants have amended independent claims 1 and 5 to describe a program-guide-display controlling apparatus comprising "means for displaying a plurality of items of program guide information on a display unit in a matrix form by using one of the ordinate and the abscissa as a channel number axis and

another one as a time axis; [and] means for determining whether any of a plurality of consecutive time periods includes a purchased one of a plurality of purchasable programs. Moreover, Applicants have amended each of independent claims 6, 11, and 12 to describe a program-guide-display controlling apparatus comprising “means for displaying a plurality of program guides on a display unit in a matrix form by using one of the ordinate and the abscissa as a channel number axis and another one as a time axis.” For example, as shown in Applicants’ Figure 5, the X-axis may be the time axis, and the Y-axis may be the channel axis. Moreover, the display unit may include program information associated with the program which is being shown or will be shown on a particular channel during a particular time period, and depicted time periods may be consecutive time periods. When a user purchases a purchasable program, the time period during which the purchased program will be shown is distinguished from the other time periods.

(b) Knowles

The Office Action points to Figures 1c and 31, and Paragraphs [0070], [0083], [0088], and [0089] of Knowles as providing the necessary support for the anticipation and/or obviousness rejection of claims 1, 5, 6, 8, 9, 11, and 12 in view of Knowles. Knowles describes a “scheduled events list” which may depict (1) information associated with user purchased pay-per-view programs and/or pay-per-view scheduled times, and (2) the time period during which these programs will be shown. See, e.g., Knowles, paragraph 0070; and Figure 31. Independent claims 1 and 5 require that the depicted time periods be consecutive time periods.

However, the scheduled events list depicted in Knowles is designed to display the actual program information associated with the **purchased program**, and as such, the time periods which are depicted in the scheduled events list correspond to the time period during which the purchased pay-per-view program will be shown. Consequently, the depicted time periods **are not consecutive time periods**, e.g., as shown in Figure 31, a first time period corresponding to a first purchased program is 10pm to 12:30am on Wednesday, and a second time period corresponding to a second purchased program is 12pm to 2pm on Thursday. Moreover, one of ordinary skill in the art would not be motivated to modify the scheduled events list to depict consecutive time periods because a user may purchase programs that are days, e.g., five days, apart, and in order to display the information associated with both purchased programs and to depict consecutive time periods, Knowles would have to be modified to display all of the time periods that occur between the two purchased programs, e.g., Knowles would have to simultaneously display five days worth of time periods, which is not desirable. In contrast, in independent claims 1 and 5, the program information that is displayed is associated with programs that currently are on and/or will be on in the near future, e.g., will be on within the next few hours, and such program information is not altered when the user purchases a purchasable program. As such, the displayed program information is not associated with the purchased program, and instead, the display merely is designed to distinguish the time period associated with the purchased program from the other displayed time periods, e.g., via coloring or highlighting. See, e.g., Appl'n, Figure 5.

The scheduled events list described in Knowles also does not use “one of the ordinate and the abscissa as a channel number axis and another one as a time axis,” as set forth in independent claims 1, 5, 6, 11, and 12. See, e.g., Knowles, Figure 31. Moreover, one of ordinary skill in the art would not be motivated to modify the scheduled events list to use “one of the ordinate and the abscissa as a channel number axis and another one as a time axis.” For example, the channel numbers which need to be displayed on the scheduled events list constantly are changing depending on which programs the user purchased. In contrast, in Applicants’ claimed invention, the displayed channel numbers are not affected by the programs purchased by the user. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of independent claims 1, 5, 6, 11, and 12 in view of Knowles.

Claims 8 and 9 depend from allowable independent claim 6. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claims 8 and 9 in view of Knowles.

(c) LaJoie

LaJoie has deficiencies that are similar to the above-described deficiencies of Knowles. Specifically, as shown in Figure 14 of LaJoie, LaJoie does not use “one of the ordinate and the abscissa as a channel number axis and another one as a time axis.” Moreover, for the same reasons set forth above with respect to Knowles, Applicants submit that one of ordinary skill in the art would not be motivated to modify LaJoie to include this missing limitation. Therefore, Applicants

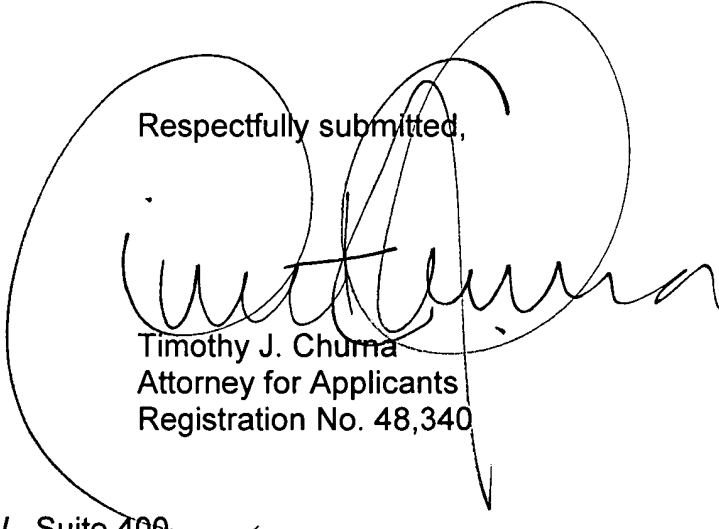
respectfully request that the Examiner withdraw the rejection of independent claims 1, 5, 6, 11, and 12 in view of LaJoie.

Claims 8 and 9 depend from allowable independent claim 6. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claims 8 and 9 in view of LaJoie.

CONCLUSION

Applicants respectfully submit that the above-captioned patent application is in condition for allowance, and such action is earnestly requested. If the Examiner believes that an in-person or telephonic interview with Applicants' representatives would expedite the prosecution of the above-titled patent application, the Examiner is invited to contact the undersigned attorney of record. Applicants believe that no fees are due as a result of this submission. Nevertheless, in the event of any variance between the fees determined by Applicants and those determined by the U.S. Patent and Trademark Office, please charge any such variance to the undersigned's Deposit Account No. 01-2300.

Respectfully submitted,



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